

Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

DOUG MURDOCK GENETRONICS INC 11494 SORRENTO VALLEY ROAD SAN DIEGO CA 92121-1334

COPY MAILED

MAY 2 3 2007

OFFICE OF PETITIONS

In re Application of Mathiesen, et al.

Application No. 10/612,304 : ON PET

Filed: July 3, 2003

Attorney Docket No. 065334-0110

ON PETITION

This is a decision on the petition to revive under 37 CFR 1.137(b), filed April 10, 2007.

The petition under 37 CFR 1.137(b) is GRANTED.

The above-identified application became abandoned for failure to timely file a reply in response to the non-final Office action mailed September 5, 2006. This Office action set an extendable period for reply of three (3) months. No reply having been received, the application became abandoned on December 6, 2006. A Notice of Abandonment was mailed on April 5, 2007.

With the instant petition, applicant paid the petition fee, made a proper statement of unintentional delay, and submitted the required reply in the form of an Amendment.

Pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Accordingly, since the \$510 extension of time fee submitted with the petition on April 10, 2007 was subsequent to the maximum period obtainable for reply (March 5, 2007), this fee will be refunded to petitioner under separate cover.

The matter is being forwarded to Group Art Unit 1615 for consideration of the Amendment filed April 10, 2007.

Telephone inquiries concerning this decision should be directed to the undersigned at (571)272-3207.

Cliff am ly

Cliff Arne Congo Petitions Attorney Office of Petitions